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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/524,217

09/14/2005

Boris Adam

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1011

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NEW YORK, NY 10004

EXAMINER

SUGLO, JANET L

ART UNIT

PAPER NUMBER

2857

MAIL DATE

DELIVERY MODE

05/08/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/524,217

Applicant(s)

ADAM ET AL.

Examiner

Janet Suglo

Art Unit

2857

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 March 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 6-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 6-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 February 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>2/18/05</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. The action is responsive to the Amendment filed on March 6, 2007. Claims 6-10 are pending. Claims 6-9 have been amended. Claims 1-5 have been cancelled.
2. The amendments filed March 6, 2007 are sufficient to overcome the prior 35 USC 112 rejections of claims 6-10; and the objection to the IDS.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 6, 7, 9, and 10** are rejected under 35 U.S.C. 103(a) as being unpatentable over Zumpano (US Patent 6,513,829) in view of Dirmeyer et al. (US Patent 5,748,075) (hereinafter Dirmeyer).

With respect to **claim 6**, Zumpano teaches a device for impact sensing (col 10, ln 52-67), comprising:

a processor (col 10, ln 63-65); and

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at least two pressure sensors each detecting an impact based on pressure, wherein the at least two pressure sensors connectable to the processor to communicate at least one pressure value each to the processor, the processor being configured to perform an impact sensing based on the at least one pressure value (col 10, ln 52-67);

wherein the processor is connectable to at least one additional vehicle system to transmit the at least one pressure value to the at least one additional vehicle system (col 13, ln 63-65).

Zumpano does not expressly teach that the pressure sensors detect an impact based on adiabatic pressure increase. Dirmeyer teaches using pressure sensors which detect adiabatic pressure increases to detect side impact of a vehicle (Dirmeyer: abstract, col 4, ln 60-62). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Zumpano to include the pressure sensors based on adiabatic pressure increases of Dirmeyer because these sensors will ensure that only serious accidents will cause the passenger protection system to tripped (Dirmeyer: col 4, ln 1-5).

With respect to **claim 7**, Zumpano further teaches the at least one vehicle system is an injection system (i.e., inflation system injects air into inflatable members) (col 14, ln 13-24).

With respect to **claim 9**, Zumpano further teaches the at least one vehicle system is configured to control its function as a function of the at least one pressure value (col 14, ln 1-12).

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With respect to **claim 10**, Zumpano further teaches the at least one pressure value is a differential pressure value (col 12, ln 59-67).

5. **Claim 8** is rejected under 35 U.S.C. 103(a) as being unpatentable over Zumpano (US Patent 6,513,829) in view of Dirmeyer et al. (US Patent 5,748,075) (hereinafter Dirmeyer) and further in view of Bohner et al. (US Patent 6,269,903) (hereinafter "Bohner"). Zumpano and Dirmeyer teach all limitations of parent claim 6 as shown above, but do not expressly teach plausibility checking. Bohner teaches plausibility checking on pressure sensor values (Bohner: col 8, ln 1-3). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Zumpano to include the plausibility checking of Bohner because this will ensure proper functioning of the pressure sensors (Bohner: col 7, ln 61-63) and ensure that the system is functioning during emergency situations (Bohner: col 2, ln 5-7).

Response to Arguments

6. Applicant's arguments with respect to claims 6-10 have been considered but are moot in view of the new ground(s) of rejection.

7. Applicant's arguments filed March 6, 2007 have been fully considered but they are not persuasive. Applicant argues that Zumpano does not teach the pressure value generated by the sensor 14 is transmitted by the processor to another vehicle system; however, Applicant's arguments are not well taken. As shown in the previous office action and as is copied in Applicant's arguments, Zumpano teaches at column 13, lines

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63-65 that "summate pressure [P1] information is transmitted by the processor 20 to the opposing, cooperatively positioned inflatable member 24." This excerpt from Zumpano teaches that the pressure information is transmitted from the processor to the inflatable member, which is another vehicle system. Therefore, Zumpano does teach that the pressure value generated by the sensor 14 is transmitted by the processor to another vehicle system.

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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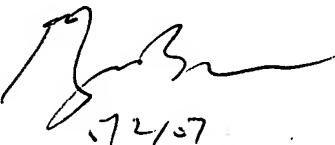
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Janet Suglo whose telephone number is 571-272-8584. The examiner can normally be reached on weekdays from 8:30am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Barlow can be reached on 571-272-2269. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Janet L Suglo
May 1, 2007

BRYAN BUI
PRIMARY EXAMINER



5/2/07